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10 Attorneys for Defendant  
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12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**

14 United States of America,  
15 Plaintiff,  
16 v.  
17 James Robert Metzger,  
18 Defendant.

No. CR 05-00649 CW

ORDER GRANTING STIPULATION  
VACATING CHANGE OF PLEA AND  
SENTENCING

19 The parties jointly request that the Court VACATE the change of plea and  
20 sentencing set for November 20, 2006 at 2:30 p.m. before the Honorable Claudia Wilken.

21 The parties agree and stipulate as follows:

22 1. The parties have reached a disposition in this case whereby the  
23 government will file a superseding Information charging Mr. Metzger with a  
24 misdemeanor violation.

25 2. In light of the misdemeanor charge, the parties consent to proceed before  
26 a Magistrate Judge for entry of plea and sentencing. The parties jointly request that the  
27 change of plea and sentencing hearing set for November 20, 2006 be VACATED from  
28 this Court's calendar.

1           3. The parties further request that a change of plea and sentencing hearing  
2 be scheduled before the Honorable Wayne D. Brazil on November 28, 2006, or as soon  
3 thereafter as the matter may be heard.

4  
5           SO STIPULATED:

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7  
8           Dated: November       , 2006

\_\_\_\_\_  
9           SHARON M. BUNZEL  
10          Attorney for Defendant  
11          James Robert Metzger

12  
13  
14          Dated: November   \_\_\_\_\_, 2006

\_\_\_\_\_  
15          KIRSTIN M. AULT  
16          Assistant United States Attorney

17       IT IS SO ORDERED.

18  
19  
20  
21          Dated: November 13, 2006



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22          THE HON. CLAUDIA WILKEN  
23          United States District Court